

ESTTA Tracking number: **ESTTA476259**

Filing date: **06/05/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

|                                       |  |
|---------------------------------------|--|
| Name                                  | Gilt Groupe, Inc.                                    |
| Granted to Date of previous extension | 06/06/2012   |
| Address                               | 2 Park Avenue<br>New York, NY 10016<br>UNITED STATES |

|                      |   |
|----------------------|---|
| Attorney information | Roberta S. Bren<br>Oblon, Spivak, McClelland, Maier & Neustadt, L.L.P.<br>1940 Duke Street<br>Alexandria, VA 22314<br>UNITED STATES<br>tmdocket@oblon.com, rbren@oblon.com, bchapman@oblon.com, ndyson@oblon.com, clisenby@oblon.com Phone:7034133000 |
|----------------------|---|

### Applicant Information

|                        |   |                        |            |
|------------------------|---|------------------------|------------|
| Application No         | 85360873  | Publication date       | 02/07/2012 |
| Opposition Filing Date | 06/05/2012  | Opposition Period Ends | 06/06/2012 |
| Applicant              | Dwell with Dignity Foundation, Inc.<br>1920 Abrams Parkway, #325<br>Dallas, TX 75214<br>UNITED STATES |                        |            |

### Goods/Services Affected by Opposition

|  |
|--|
| Class 035.<br>All goods and services in the class are opposed, namely: Retail store services featuring a wide variety of donated consumer goods for sale in support of a charitable organization |
|--|

### Grounds for Opposition

|                                      |                            |
|--------------------------------------|----------------------------|
| Priority and likelihood of confusion | Trademark Act section 2(d) |
|--------------------------------------|----------------------------|

### Marks Cited by Opposer as Basis for Opposition

|                       |            |                       |            |
|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 4073370    | Application Date      | 03/21/2011 |
| Registration Date     | 12/20/2011 | Foreign Priority Date | NONE       |
| Word Mark             | GILT       |                       |            |

|                     |  |
|---------------------|--|
| Design Mark         |    |
| Description of Mark | NONE   |
| Goods/Services      | Class 035. First use: First Use: 2007/11/13 First Use In Commerce: 2007/11/13<br>On-line retail store services featuring luxury and fashion clothing, apparel, footwear, clothing accessories, cosmetics, home goods, electronics, and related goods sold at discount prices |

|                       |  |                       |            |
|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 3680404  | Application Date      | 09/05/2007 |
| Registration Date     | 09/08/2009   | Foreign Priority Date | NONE       |
| Word Mark             | GILT GROUPE  |                       |            |
| Design Mark           |    |                       |            |
| Description of Mark   | NONE   |                       |            |
| Goods/Services        | Class 035. First use: First Use: 2007/11/13 First Use In Commerce: 2007/11/13<br>On-line retail store services featuring luxury and fashion clothing, apparel, footwear, clothing accessories, cosmetics, linens, electronics, and related goods sold at discount prices |                       |            |

|                       |            |                       |            |
|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 4073413    | Application Date      | 03/28/2011 |
| Registration Date     | 12/20/2011 | Foreign Priority Date | NONE       |
| Word Mark             | GILT NOIR  |                       |            |

|                     |  |
|---------------------|--|
| Design Mark         |    |
| Description of Mark | NONE   |
| Goods/Services      | Class 035. First use: First Use: 2009/11/30 First Use In Commerce: 2009/11/30<br>On-line retail store services featuring luxury and fashion clothing, apparel, footwear, clothing accessories, cosmetics, home goods, electronics, and related goods sold at discount prices |

|             |   |
|-------------|---|
| Attachments | 85271939#TMSN.jpeg ( 1 page )( bytes )<br>77271728#TMSN.jpeg ( 1 page )( bytes )<br>85278937#TMSN.jpeg ( 1 page )( bytes )<br>85360873-Notice of Opposition.pdf ( 22 pages )(614343 bytes ) |
|-------------|---|

### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

|           |                       |
|-----------|-----------------------|
| Signature | /roberta s. bren/cli/ |
| Name      | Roberta S. Bren       |
| Date      | 06/05/2012            |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application No. 85/360,873

Trademark: GILT-Y

Gilt Groupe, Inc.

Opposer

v.

Dwell With Dignity Foundation, Inc.

Applicant

Opposition No. \_\_\_\_\_

**NOTICE OF OPPOSITION**

In the matter of the application of the mark GILT-Y, Serial No. 85/360,873, filed June 30, 2011. Gilt Groupe Inc. (“Opposer”), through its attorneys, believes it is and will continue to be damaged by the registration of the mark GILT-Y (“Applicant’s Mark”) of Application No. 85/360,873 filed by Dwell with Dignity Foundation, Inc. (“Applicant”) as an intent-to use application.

Opposer bases its opposition on the following allegations:

1. Opposer is a corporation organized and existing under the laws of Delaware, with a business address of 2 Park Avenue, New York, NY 10016.

2. Upon information and belief, Applicant is a non-profit corporation organized and existing under the laws of Texas, with a business address of 1920 Abrams Parkway, #325, Dallas, TX 75214.

3. Applicant, through its application Serial No. 85/360,873, seeks to register Applicant’s Mark for the following Class 35 services: “Retail store services featuring a wide

variety of donated consumer goods for sale in support of a charitable organization” (the “Applicant’s Services”). Applicant’s application was filed on June 30, 2011.

4. Applicant’s application was approved for publication by the Examining Attorney, with publication in the *Official Gazette* on February 7, 2012.

5. Opposer owns Registration No. 4,073,370 dated December 20, 2011 for the mark GILT for the Class 35 services of “On-line retail store services featuring luxury and fashion clothing, apparel, footwear, clothing accessories, cosmetics, home goods, electronics, and related goods sold at discount prices,” with a date of first use of November 13, 2007.

6. Opposer owns Registration No. 3,680,404 dated September 8, 2009 for the mark GILT GROUPE for the Class 35 services of “On-line retail store services featuring luxury and fashion clothing, apparel, footwear, clothing accessories, cosmetics, linens, electronics, and related goods sold at discount prices,” with a date of first use of November 13, 2007.

7. Opposer owns Registration No. 4,073,413 dated December 20, 2011 for the mark GILT NOIR for the Class 35 services of “On-line retail store services featuring luxury and fashion clothing, apparel, footwear, clothing accessories, cosmetics, home goods, electronics, and related goods sold at discount prices,” with a date of first use of November 30, 2009.

8. Printouts from the USPTO’s TARR and Assignment records of the registrations identified in Paragraphs 5-7 are attached hereto as Exhibits 1-3, pursuant to Trademark Rule 2.122(d)(1).

9. In addition to the registrations identified in Paragraphs 5-7, Opposer uses GILT with various terms and owns Registration No. 4,076,359 dated December 27, 2011 for GILT TASTE; Registration No. 3,967,967 dated May 24, 2011 for GILT MANUAL; Registration No. 3,920,768 dated February 15, 2011 for GILT MAN; and Application Serial No. 85/304,568 for LITTLE GILT.

10. Opposer has used its GILT trademarks in commerce (collectively, Opposer’s Marks”) to identify its services, including without limitation, retail store services (“Opposer’s Services”) in interstate commerce since at least as early as November 13, 2007.

11. Opposer has used Gilty and Gilty Mom in connection with a blogging program promoting GILT, its services and products.

12. Upon information and belief, the media often uses “GILTY” or the phonetic equivalents to refer to Opposer and Opposer’s services.

13. Upon information and belief, the public is accustomed to the media use of “GILTY” or the phonetic equivalents to refer to Opposer and Opposer’s services.

14. Upon information and belief, Applicant did not use Applicant’s Mark in commerce on or in connection with Applicant’s Services prior to June 30, 2011.

15. Applicant’s Mark, with the common word “GILT,” is confusingly similar to Opposer’s Marks.

16. Upon information and belief, Applicant’s Services to be offered under Applicant’s Mark are or are intended to be distributed through similar channels of trade and to the same classes of purchaser as Opposer’s Services.

17. Applicant’s use and registration of Applicant’s Mark will enable Applicant to trade upon and use the goodwill established by Opposer in Opposer’s Marks.

18. Members of the relevant consuming public are likely to be confused, mistaken or deceived as to the origin and sponsorship of Applicant’s Services marketed under Applicant’s Mark and will be misled into believing that such goods are produced by, are sponsored by, or are in some way associated with Opposer, to the damage and detriment of Opposer, in violation of Section 2(d) of the Trademark Act, 15 USC §1052(d).

19. Opposer upon information and belief, avers that it will be damaged by the registration of Applicant’s Mark, in that the mark is confusingly similar to Opposer’s Marks, and will be used in connection with services identical and/or related to the goods/services offered by Opposer.

WHEREFORE, Opposer, Gilt Groupe, Inc., requests that the Opposition be sustained, and the application for Applicant's Mark be refused registration.

Respectfully submitted,

GILT GROUPE, INC.

By: Roberta S. Bren  
Roberta S. Bren  
Beth A. Chapman  
OBLON, SPIVAK, MCCLELLAND,  
MAIER & NEUSTADT, L.L.P.  
1940 Duke Street  
Alexandria, Virginia 22314  
(703) 413-3000  
fax (703) 413-2220  
e-mail: [tmdocket@oblon.com](mailto:tmdocket@oblon.com)  
Counsel for Opposer

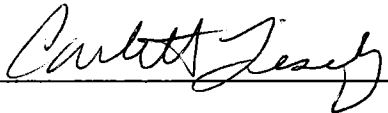
Dated: June 5, 2012

RSB/BAC/cli {6904015\_1.DOCX}

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing **NOTICE OF OPPOSITION** was served on counsel for Applicant as identified by the records of the United States Patent and Trademark Office this 5th day of June , 2012, by sending same, via First Class mail, postage prepaid, to:

Elisabeth A. Evert  
Hitchcock Evert LLP  
PO Box 131709  
Dallas, TX 75313-1709

  
\_\_\_\_\_



# **EXHIBIT 1**

**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2012-06-05 12:43:03 ET**

**Serial Number:** 85271939 [Assignment Information](#) [Trademark Document Retrieval](#)

**Registration Number:** 4073370

**Mark**

GILT

**(words only):** GILT

**Standard Character claim:** Yes

**Current Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.

**Date of Status:** 2011-12-20

**Filing Date:** 2011-03-21

**Transformed into a National Application:** No

**Registration Date:** 2011-12-20

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 116

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location:** 650 -Publication And Issue Section

**Date In Location:** 2011-12-20

---

**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. Gilt Groupe, Inc.

**Address:**

Gilt Groupe, Inc.  
2 Park Avenue, 4th Floor  
New York, NY 10016  
United States

**Legal Entity Type:** Corporation**State or Country of Incorporation:** Delaware

---

**GOODS AND/OR SERVICES**

---

**International Class:** 035**Class Status:** Active

On-line retail store services featuring luxury and fashion clothing, apparel, footwear, clothing accessories, cosmetics, home goods, electronics, and related goods sold at discount prices

**Basis:** 1(a)**First Use Date:** 2007-11-13**First Use in Commerce Date:** 2007-11-13

---

**ADDITIONAL INFORMATION**

---

**Prior Registration Number(s):**

3680404

3920768

3967967

---

**MADRID PROTOCOL INFORMATION**

---

(NOT AVAILABLE)

---

**PROSECUTION HISTORY**

---

**NOTE:** To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2011-12-20 - Registered - Principal Register

2011-10-04 - Official Gazette Publication Confirmation E-Mailed

2011-10-04 - Official Gazette Publication Confirmation E-Mailed

2011-10-04 - Published for opposition

2011-08-26 - Law Office Publication Review Completed

2011-08-26 - Assigned To LIE

2011-08-12 - Approved for Pub - Principal Register (Initial exam)

2011-08-12 - Examiner's Amendment Entered  
2011-08-12 - Notification Of Examiners Amendment E-Mailed  
2011-08-12 - EXAMINERS AMENDMENT E-MAILED  
2011-08-12 - Examiners Amendment -Written  
2011-08-02 - Attorney Revoked And/Or Appointed  
2011-08-02 - TEAS Revoke/Appoint Attorney Received  
2011-06-19 - Notification Of Non-Final Action E-Mailed  
2011-06-19 - Non-final action e-mailed  
2011-06-19 - Non-Final Action Written  
2011-06-19 - Assigned To Examiner  
2011-03-24 - New Application Office Supplied Data Entered In Tram  
2011-03-24 - New Application Entered In Tram

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Allison Lucas

**Correspondent**

Allison Lucas  
2 Park Avenue, 4th Floor  
New York NY 10016  
Phone Number: 646-524-9496

---



## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)Assignments on the Web > [Trademark Query](#)

## Trademark Assignment Abstract of Title

**Total Assignments: 1****Serial #:** [85271939](#)**Filing Dt:** 03/21/2011**Reg #:** [4073370](#)**Reg. Dt:** 12/20/2011**Registrant:** Gilt Groupe, Inc.**Mark:** GILT**Assignment: 1****Reel/Frame:** [4653/0677](#)**Received:** 11/02/2011**Recorded:** 11/02/2011**Pages:** 11**Conveyance:** SECURITY INTEREST**Assignors:** [GILT GROUPE, INC.](#)**Exec Dt:** 11/01/2011**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Exec Dt:** 11/01/2011**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Entity Type:** LIMITED LIABILITY  
COMPANY**Citizenship:** DELAWARE[GILT CITY, INC.](#)**Assignee:** [PINNACLE VENTURES, L.L.C.](#)

130 LYTTON AVENUE, SUITE 220

PALO ALTO, CALIFORNIA 94301

**Correspondent:** WSGR, C/O NANCY BOUCH, SENIOR PARALEGAL

650 PAGE MILL ROAD

FH 2-1 P10

PALO ALTO, CA 94304

Search Results as of: 06/05/2012 12:43 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.3.1  
Web interface last modified: Jan 26, 2012 v.2.3.1| [HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

# **EXHIBIT 2**

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2012-06-05 12:43:56 ET

Serial Number: 77271728 Assignment Information Trademark Document Retrieval

Registration Number: 3680404

Mark

# GILT GROUPE

(words only): GILT GROUPE

Standard Character claim: Yes

**Current Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.

**Date of Status:** 2009-09-08

**Filing Date:** 2007-09-05

**Filed as TEAS Plus Application:** Yes

**Currently TEAS Plus Application:** Yes

**Transformed into a National Application:** No

**Registration Date:** 2009-09-08

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 112

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov**

**Current Location:** 650 -Publication And Issue Section

**Date In Location:** 2009-08-03

---

**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. Gilt Groupe, Inc.

**Address:**

Gilt Groupe, Inc.  
2 Park Avenue, 4th Floor  
New York, NY 10016  
United States

**Legal Entity Type:** Corporation**State or Country of Incorporation:** Delaware

---

**GOODS AND/OR SERVICES**

---

**International Class:** 035**Class Status:** Active

On-line retail store services featuring luxury and fashion clothing, apparel, footwear, clothing accessories, cosmetics, linens, electronics, and related goods sold at discount prices

**Basis:** 1(a)**First Use Date:** 2007-11-13**First Use in Commerce Date:** 2007-11-13

---

**ADDITIONAL INFORMATION**

---

**Disclaimer:** "GROUPE"**Translation:** The English translation of the word "GROUPE" in the mark is "group".

---

**MADRID PROTOCOL INFORMATION**

---

(NOT AVAILABLE)

---

**PROSECUTION HISTORY**

---

**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2012-02-01 - Assignment Of Ownership Not Updated Automatically

2011-08-02 - Attorney Revoked And/Or Appointed

2011-08-02 - TEAS Revoke/Appoint Attorney Received

2010-09-01 - Applicant/Correspondence Changes (Non-Responsive) Entered

2010-09-01 - TEAS Change Of Owner Address Received



2010-08-18 - TEAS Change Of Correspondence Received

2009-09-08 - Registered - Principal Register

2009-08-03 - Law Office Registration Review Completed

2009-07-26 - Allowed for Registration - Principal Register (SOU accepted)

2009-07-24 - Statement Of Use Processing Complete

2009-06-30 - Use Amendment Filed

2009-07-24 - Case Assigned To Intent To Use Paralegal

2009-06-30 - TEAS Statement of Use Received

2009-01-06 - NOA Mailed - SOU Required From Applicant

2008-10-14 - Published for opposition

2008-09-24 - Notice of publication

2008-09-05 - Law Office Publication Review Completed

2008-09-05 - Assigned To LIE

2008-08-27 - Approved For Pub - Principal Register

2008-08-05 - Notification Of Letter Of Suspension E-Mailed

2008-08-05 - LETTER OF SUSPENSION E-MAILED

2008-08-05 - Suspension Letter Written

2008-06-16 - Teas/Email Correspondence Entered

2008-06-16 - Communication received from applicant

2008-06-16 - TEAS Response to Office Action Received

2007-12-18 - Notification Of Non-Final Action E-Mailed

2007-12-18 - Non-final action e-mailed

2007-12-18 - Non-Final Action Written

2007-12-11 - Assigned To Examiner

2007-09-11 - Notice Of Pseudo Mark Mailed

2007-09-10 - New Application Entered In Tram

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Allison Lucas

**Correspondent**

Allison Lucas

2 Park Avenue, 4th Floor

New York NY 10016

Phone Number: 646-524-9496

---



## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)Assignments on the Web > Trademark Query

## Trademark Assignment Abstract of Title

## Total Assignments: 5

Serial #: 77271728

Filing Dt: 09/05/2007

Reg #: 3680404

Reg. Dt: 09/08/2009

Registrant: Gilt Groupe, Inc.

Mark: GILT GROUPE

## Assignment: 1

Reel/Frame: 4303/0546

Received: 10/25/2010

Recorded: 10/25/2010

Pages: 12

Conveyance: SECURITY INTEREST

Assignors: GILT GROUPE, INC.GILT CITY, INC.GILT TRAVEL, INC.Assignee: TRIPLEPOINT CAPITAL LLC (AS AGENT)2755 SAND HILL ROAD  
MENLO PARK, CALIFORNIA 94025

Correspondent: GARY ROSENBAUM

MCDERMOTT WILL & EMERY LLP  
2049 CENTURY PARK EAST, SUITE 3800  
LOS ANGELES, CA 90067

Exec Dt: 10/22/2010

Entity Type: CORPORATION

Citizenship: DELAWARE

Exec Dt: 10/22/2010

Entity Type: CORPORATION

Citizenship: DELAWARE

Exec Dt: 10/22/2010

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: LIMITED LIABILITY  
COMPANY

Citizenship: DELAWARE

## Assignment: 2

Reel/Frame: 4306/0620

Received: 10/28/2010

Recorded: 10/28/2010

Pages: 12

Conveyance: SECURITY INTEREST

Assignors: GILT GROUPE, INC.GILT CITY, INC.GILT TRAVEL, INC.Assignee: PINNACLE VENTURES, L.L.C.130 LYTTON AVENUE, SUITE 220  
PALO ALTO, CALIFORNIA 94301

Correspondent: WSGR, C/O NANCY BOUCH, SENIOR PARALEGAL

650 PAGE MILL ROAD  
FH 2-1 P10  
PALO ALTO, CA 94304

Exec Dt: 10/26/2010

Entity Type: CORPORATION

Citizenship: DELAWARE

Exec Dt: 10/26/2010

Entity Type: CORPORATION

Citizenship: DELAWARE

Exec Dt: 10/26/2010

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: LIMITED LIABILITY  
COMPANY

Citizenship: DELAWARE

## Assignment: 3

Reel/Frame: 4597/0943

Received: 08/04/2011

Recorded: 08/04/2011

Pages: 9

Conveyance: RELEASE BY SECURED PARTY

**Assignor:** PINNACLE VENTURES, L.L.C.**Exec Dt:** 08/04/2011**Entity Type:** LIMITED LIABILITY  
COMPANY**Citizenship:** DELAWARE**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Assignees:** GILT GROUPE, INC.2 PARK AVENUE, 4TH FLOOR  
NEW YORK, NEW YORK 10016GILT CITY, INC.2 PARK AVENUE, 4TH FLOOR  
NEW YORK, NEW YORK 10016GILT TRAVEL, INC.2 PARK AVENUE, 4TH FLOOR  
NEW YORK, NEW YORK 10016**Correspondent:** WSGR, C/O NANCY BOUCH, SENIOR PARALEGAL  
650 PAGE MILL ROAD  
FH 2-1 P10  
PALO ALTO, CA 94304**Assignment: 4****Reel/Frame:** 4653/0677**Received:** 11/02/2011**Recorded:** 11/02/2011**Pages:** 11**Conveyance:** SECURITY INTEREST**Assignors:** GILT GROUPE, INC.**Exec Dt:** 11/01/2011**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Exec Dt:** 11/01/2011**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Entity Type:** LIMITED LIABILITY  
COMPANY**Citizenship:** DELAWAREGILT CITY, INC.**Assignee:** PINNACLE VENTURES, L.L.C.130 LYTTON AVENUE, SUITE 220  
PALO ALTO, CALIFORNIA 94301**Correspondent:** WSGR, C/O NANCY BOUCH, SENIOR PARALEGAL  
650 PAGE MILL ROAD  
FH 2-1 P10  
PALO ALTO, CA 94304**Assignment: 5****Reel/Frame:** 4704/0495**Received:** 01/25/2012**Recorded:** 01/25/2012**Pages:** 9**Conveyance:** TERMINATION AND RELEASE OF INTELLECTUAL PROPERTY SECURITY AGREEMENT**Assignor:** TRIPLEPOINT CAPITAL LLC, AS AGENT**Exec Dt:** 01/24/2012**Entity Type:** LIMITED LIABILITY  
COMPANY**Citizenship:** DELAWARE**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Assignees:** GILT GROUPE, INC.2 PARK AVENUE, 4TH FLOOR  
NEW YORK, NEW YORK 10016GILT CITY, INC.2 PARK AVENUE, 4TH FLOOR  
NEW YORK, NEW YORK 10016**Correspondent:** MORGAN, LEWIS & BOCKIUS LLP  
1111 PENNSYLVANIA AVENUE, NW  
WASHINGTON, DC 20004

Search Results as of: 06/05/2012 12:44 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.3.1  
Web interface last modified: Jan 26, 2012 v.2.3.1[| .HOME | INDEX | SEARCH | eBUSINESS | CONTACT US | PRIVACY STATEMENT](#)

# **EXHIBIT 3**

**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2012-06-05 12:44:30 ET**

**Serial Number:** 85278937 Assignment Information Trademark Document Retrieval

**Registration Number:** 4073413

**Mark**

**GILT NOIR**

**(words only):** GILT NOIR

**Standard Character claim:** Yes

**Current Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.

**Date of Status:** 2011-12-20

**Filing Date:** 2011-03-28

**Transformed into a National Application:** No

**Registration Date:** 2011-12-20

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 116

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov**

**Current Location:** 650 -Publication And Issue Section

**Date In Location:** 2011-12-20

---

**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. Gilt Groupe, Inc.

**Address:**

Gilt Groupe, Inc.  
2 Park Avenue, 4th Floor  
New York, NY 10016  
United States

**Legal Entity Type:** Corporation**State or Country of Incorporation:** Delaware

---

**GOODS AND/OR SERVICES**

---

**International Class:** 035**Class Status:** Active

On-line retail store services featuring luxury and fashion clothing, apparel, footwear, clothing accessories, cosmetics, home goods, electronics, and related goods sold at discount prices

**Basis:** 1(a)**First Use Date:** 2009-11-30**First Use in Commerce Date:** 2009-11-30

---

**ADDITIONAL INFORMATION**

---

**Prior Registration Number(s):**

3680404

3920768

3967967

---

**MADRID PROTOCOL INFORMATION**

---

(NOT AVAILABLE)

---

**PROSECUTION HISTORY**

---

**NOTE:** To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2011-12-20 - Registered - Principal Register

2011-10-04 - Official Gazette Publication Confirmation E-Mailed

2011-10-04 - Official Gazette Publication Confirmation E-Mailed

2011-10-04 - Published for opposition

2011-08-26 - Law Office Publication Review Completed

2011-08-26 - Assigned To LIE

2011-08-12 - Approved for Pub - Principal Register (Initial exam)

2011-08-12 - Examiner's Amendment Entered  
2011-08-12 - Notification Of Examiners Amendment E-Mailed  
2011-08-12 - EXAMINERS AMENDMENT E-MAILED  
2011-08-12 - Examiners Amendment -Written  
2011-08-02 - Attorney Revoked And/Or Appointed  
2011-08-02 - TEAS Revoke/Appoint Attorney Received  
2011-06-19 - Notification Of Non-Final Action E-Mailed  
2011-06-19 - Non-final action e-mailed  
2011-06-19 - Non-Final Action Written  
2011-06-19 - Assigned To Examiner  
2011-03-31 - New Application Office Supplied Data Entered In Tram  
2011-03-31 - New Application Entered In Tram

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Allison Lucas

**Correspondent**

Allison Lucas  
2 Park Avenue, 4th Floor  
New York NY 10016  
Phone Number: 646-524-9496

---





## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)Assignments on the Web > Trademark Query

## Trademark Assignment Abstract of Title

## Total Assignments: 1

Serial #: 85278937

Filing Dt: 03/28/2011

Reg #: 4073413

Reg. Dt: 12/20/2011

Registrant: Gilt Groupe, Inc.

Mark: GILT NOIR

## Assignment: 1

Reel/Frame: 4653/0677

Received: 11/02/2011

Recorded: 11/02/2011

Pages: 11

Conveyance: SECURITY INTEREST

Assignors: GILT GROUPE, INC.GILT CITY, INC.Assignee: PINNACLE VENTURES, L.L.C.130 LYTTON AVENUE, SUITE 220  
PALO ALTO, CALIFORNIA 94301

Correspondent: WSGR, C/O NANCY BOUCH, SENIOR PARALEGAL

650 PAGE MILL ROAD  
FH 2-1 P10  
PALO ALTO, CA 94304

Exec Dt: 11/01/2011

Entity Type: CORPORATION

Citizenship: DELAWARE

Exec Dt: 11/01/2011

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: LIMITED LIABILITY  
COMPANY

Citizenship: DELAWARE

Search Results as of: 06/05/2012 12:44 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.3.1  
Web interface last modified: Jan 26, 2012 v.2.3.1[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)